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PTO/SB/01A (05-03)

Approved for use through 05/31/2003. OMB 0651-0032

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)****Title of Invention** **Microendodontics Ultrasonic Surgical Dental Tool Having Water Port & Method of Making Same.**As the below named inventor(s), ~~I~~we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/067,155, filed on 02-04-2002.
- ☐ as amended on _____ (if applicable);

~~I~~we believe that ~~I~~we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;~~I~~we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;~~I~~we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Syngcuk Kim

~~Signature~~

Citizen of: United States of America

Inventor two:

Signature:

Citizen of:

Inventor three:

Signature:

Citizen of:

Inventor four:

Signature:

Citizen of:

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Application No.: 10/067,155
Atty. Docket No.: 08563-0140-1

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AUG 02 2004

In re Application of: Hickok

Application No.: 10/067,155

Group Art Unit: 3732

Filed: February 4, 2002

Examiner: Manahan, Todd E.

For: MICROENDONTICS ULTRASONIC SURGICAL DENTAL TOOL
HAVING A WATER PORT AND METHOD OF MAKING SAME

OFFICIAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SYNGCUK KIM
PURSUANT TO 37 C.F.R. § 1.48(a)(2)

I, Syngcuk Kim, hereby state that my omission as a named inventor from the inventive entity in U.S. Patent Application No. 10/067,155 filed on February 4, 2002 entitled MICROENDONTICS ULTRASONIC SURGICAL DENTAL TOOL HAVING A WATER PORT AND METHOD OF MAKING SAME (the "Application") was inadvertent and occurred without any deceptive intention on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Respectfully submitted,

By: 
Syngcuk Kim

Dated: 7/25/04

Application No.: 10/067,155
Atty. Docket No.: 08563-0140-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED
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AUG 02 2004

In re Application of: Hickok :
: :
Application No.: 10/067,155 : Group Art Unit: 3732
: :
Filed: February 4, 2002 : Examiner: Manahan, Todd E.
: :
For: MICROENDONTICS ULTRASONIC SURGICAL DENTAL TOOL
HAVING A WATER PORT AND METHOD OF MAKING SAME

OFFICIAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CONSENT OF ASSIGNEE TO CORRECT THE INVENTIVE ENTITY
PURSUANT TO 37 C.F.R. § 1.48(a) (5)**

The present application is a continuation of application serial number 09/326,046 filed June 4, 1999, now abandoned. By virtue of the assignment of application serial no. 09/326,046 from San Diego Swiss to Dentsply International, a copy of said assignment being attached to this submittal, Dentsply International is the assignee of the present application, U.S. Patent application serial no. 09/326,046. As assignee of U.S. Patent Application No. 10/067,155 filed on February 4, 2002 entitled MICROENDONTICS ULTRASONIC SURGICAL DENTAL TOOL HAVING A WATER PORT AND METHOD OF MAKING SAME (the "Application"), which is indicated and shown on the Statement under 37 CFR 3.73(b) submitted herewith, Dentsply International, Inc. hereby consents to the correction of the inventive entity of the Application by adding Syngcuk Kim as a named inventor.

Dentsply International, Inc. hereby declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be

Application No.: 10/067,155
Atty. Docket No.: 08563-0140-1

true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Respectfully submitted,
DENTSPLY INTERNATIONAL, INC.



By: Brian M. Addison

Name: Brian M. Addison

Title: Vice President, Secretary & General Counsel

Date: August 2, 2004

PTO/SB/98 (04-03)

Approved for use through 04/30/2003. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: DENTSPLY INTERNATIONAL, INC.Application No./Patent No.: 10/067,155Filed/Issue Date: 02/04/2002Entitled: MICROENDONTICS ULTRASONIC SURGICAL DENTAL TOOL HAVING : WATER PORT & METHODDENTSPLY INTERNATIONAL, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Hickok To: San Diego Swiss Machining, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: San Diego Swiss Machining, Inc. To: Dentsply International, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 011195, Frame 0349, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8)

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

August 2, 2004
Date

800-877-0020 x4363
Telephone Number

Brian M. Addison
Signature

Brian M. Addison
Typed or printed name

Vice-President Secretary & Gen. Counsel
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

NUNC PRO TUNC ASSIGNMENT OF APPLICATION

Whereas, I, **Teresa R. Hickok** hereafter referred to as applicant or assignor, who resides at the address provided below, have invented certain new and useful improvements in a **MICROENDODONTICS ULTRASONIC SURGICAL DENTAL TOOL HAVING WATER PORT AND METHOD OF MAKING SAME** for which an application for a United States Patent was filed and assigned Application Serial Number **09/326,046** and;

Whereas, **SAN DIEGO SWISS MACHINING, INC.**, of San Diego, California, with present offices at 9177 Aero Drive, Suite A, San Diego, CA 92123, herein referred to as "assignee", is desirous of acquiring the entire right, title and interest in the same.

Now, therefore, in consideration of the sum of one dollar (\$1.00), the receipt whereof is acknowledged and other good and valuable consideration the receipt of which from assignee is hereby acknowledged, I, as assignor, have sold, assigned, transferred, and set over, and hereby sell, assign, transfer and set unto the assignee, its lawful successors and assigns, my entire right, title and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof, and I hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on the applications as described above, to issue all Letters Patent for this invention to assignee, its successors and assigns, in accordance with the terms of this assignment;

AND, I hereby covenant that I have the full right to convey the interest assigned by this Assignment, and I have not executed and will not execute any agreement in conflict with this Assignment;

I hereby declare that this nunc pro tunc Assignment is made today as if it were made on September 14, 2000 and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

IN WITNESS WHEREOF and INTENDING TO BE LEGALLY BOUND, I hereunto set my hand having read and understood this nunc pro tunc Assignment.

Teresa R. Hickok
4106 Paseo De La Vista
Bonita, CA 91902

By: Teresa R. Hickok
Date: 7-30-04

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

Docket Number: 1818-17

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

MICROENDODONTICS ULTRASONIC SURGICAL DENTAL TOOL HAVING WATER PORT AND METHOD OF MAKING SAME, the specification of which is attached hereto unless the following is checked:

_____ was filed on _____ as United States Application Number or PCT International Application Number
_____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56. I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed)

____ Yes ____ No

(Number)

(Country)

(Day/Month/Year Filed)

____ Yes ____ No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith: Freling E. Baker, Reg. #24,078; Lawrence A. Maxham, Reg. #24,483; Peter R. Martinez, Reg. #P-42,845; Steven J. Robbins, Reg. #179440; Christopher N. Sears, Reg. #33,552 and David B. Woycechowsky, Reg. # 39,079. Address all telephone calls to Freling E. Baker at Telephone No. (619) 233-9004 and address all correspondence to Freling E. Baker, BAKER & MAXHAM, 750 "B" Street, Suite 3100, San Diego, California 92101.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name) Teresa R. Hickok

Inventor's signature *Teresa R. Hickok*

Date June 1, 1999

Residence 4106 Paseo De La Vista, Bonita, California 91902

Citizenship U.S.A.

Post Office Address Bonita, California 91902

Full name of second joint inventor, if any (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Post Office Address

Additional inventors are being named on separately numbered sheets attached hereto.

(2/92 PTO)